



WEB COPY

WP No. 19467 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-05-2026

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

WP No. 19467 of 2026

Muthamizh vithagi
W/o.Sundararajan No.50/7 C.TVK Nagar Chinna
Salem Kallakurichi District 606201.

Petitioner(s)

Vs

1.Union of India,
Department of Health and Family Welfare Nirman
Bhawan New Delhi.

2.State rep. By,
The Secretary to the Government of Tamil Nadu,
Rep. Through the Assisted Reproductive Technology
and Surogacy Authority, health and Family Welfare
Department, Secretariat,
St.George Fort, Chennai – 600 009.

3.The Director,
Directorate of Medical and Rural Health Services,
No.359, DMS Complex, 361, Anna Salai, Chennai.

4.The Joint Director of Health Service,
District Medical Board,
No.359, DMS Complex, 361, Anna Salai, Chennai.

5.The Joint Director,
District Medical Board,
Collector Office New Bulidings,
Veeracholapuram, Kallakurichi,
Kallakurichi District.



6.The Joint Director,
District Medical Board,
Government Medical College & Hospital,
Kallakurichi, Kallakurichi District.

Respondent(s)

PRAYER

Directing the respondents 2, 5 and 6 to grant permission to the petitioner and her husband to continue with the IVF treatment thereby enabling them to get their valuable right to get a child through the Assisted Reproductive Technology Services and pass orders.

For Petitioner(s): C.S.Saravanan

For Respondent(s): Mr.K.K.Muralitharan
Central Government Standing Counsel for R1
Mr.S.J.Mohamed Sathik
Government Advocate for RR 2 to 6

ORDER

Seeking direction to the respondents 2, 5 and 6 to grant permission to the petitioner and her husband to continue with the IVF treatment thereby enabling them to get their valuable right to get a child through the Assisted Reproductive Technology Services, this writ petition is filed.

2.Considering the limited scope, this writ petition is disposed of at the admission stage itself.

3.The learned counsel for the petitioner submitted that the petitioner's husband has crossed the age of 50 years. In view of the same, there is an impediment for continuing the IVF treatment. However, a similar matter has



been considered by the Madurai Bench of this Court in W.P.(MD).No.17017 of 2025 and by order dated 09.07.2025, the Madurai Bench of this Court has permitted the petitioner therein to continue IVF treatment at their own risk. In view of the aforesaid judgment, the petitioner and her husband are permitted to undergo IVF treatment at their own risk.

4.Considering the limited relief sought for by the petitioner, the respondents are directed to carry out IVF treatment to the petitioner and her husband as per the order passed in W.P.(MD).No.17017 of 2025 dated 09.07.2025, at the own risk of the petitioner and her husband, promptly and as expeditiously as possible.

5.In the result, this Writ Petition is disposed of. No costs.

13-05-2026
(2/2)

krk

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No



To

WEB COPY

1. Union of India

Department of Health and Family
Welfare Nirman Bhawan New Delhi.

2. State Rep. By

The Secretary to the Government of
Tamil Nadu Rep. through the Assisted
Reproductive Technology and Surrogacy
Authority, health and family welfare
Department, Secretariat, St. George Fort
Chennai 600009.

3. The Director

Directorate of Medical and Rural
Health Services No. 359 DMS Complex
361 Anna Salai Chennai.

4. The Joint Director Of Health Service

District Medical Board No. 359 DMS
Complex 361 Anna Salai Chennai.

5. The Joint Director

District Medical Board Collector Office
New Buildings Veeracholapuram
Kallakurichi Kallakurichi District.

6. The Joint Director

District Medical Board Government
Medical College and Hospital
Kallakurichi Kallakurichi District.



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